

Kenneth L. Cannon II (kcannon@djplaw.com) (3705)  
Steven J. McCardell (smccardell@djplaw.com) (2144)  
DURHAM JONES & PINEGAR, P.C.  
111 East Broadway, Suite 900  
P.O. Box 4050  
Salt Lake City, UT 84110-4050  
Telephone: (801) 415-3000/Fax: (801) 415-3500

Michael V. Blumenthal (mblumenthal@crowell.com) (pro hac vice application pending)  
Steven B. Eichel (seichel@crowell.com) (pro hac vice application pending)  
CROWELL & MORING LLP  
590 Madison Avenue, 20th Floor  
New York, NY 10022  
Telephone: (212) 223-4000/Fax: (212) 223-4134

Proposed Counsel for Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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In re:	)	
	)	
EASY STREET HOLDING, LLC, <i>et al.</i> ,	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
	)	09-29907 and 09-29908
	)	
Address: 201 Heber Avenue	)	Chapter 11
Park City, UT 84060	)	
	)	Honorable R. Kimball Mosier
Tax ID Numbers:	)	
35-2183713 (Easy Street Holding, LLC),	)	
20-4502979 (Easy Street Partners, LLC), and	)	<b>[FILED ELECTRONICALLY]</b>
84-1685764 (Easy Street Mezzanine, LLC)	)	
	)	

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**DEBTORS' NOTICE OF COMMENCEMENT OF BANKRUPTCY CASES  
AND HEARINGS ON VARIOUS MOTIONS AND APPLICATIONS  
FOR FIRST DAY RELIEF**

PLEASE TAKE NOTICE that on September 14, 2009, each of the following entities (the “Debtors”) filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) with the United States Bankruptcy Court for the District of Utah (the “Bankruptcy Court”). The names and case numbers of the Debtors’ bankruptcy cases (the “Bankruptcy Cases”) are set forth below:

Easy Street Holding, LLC	Case No. 09-29905
Easy Street Partners, LLC	Case No. 09-29907
Easy Street Mezzanine, LLC	Case No. 09-29908

Each of the Bankruptcy Cases was assigned to the Honorable R. Kimball Mosier. The Debtors continue to operate their businesses and manage their properties as debtors in possession, pursuant to Bankruptcy Code sections 1107(a) and 1108.

PLEASE TAKE NOTICE THAT, on motion of the Debtors, the Bankruptcy Court entered an order dated September 14, 2009 providing as follows: (1) that the Bankruptcy Cases shall be and are procedurally consolidated and jointly administered under the case of Easy Street Holding, LLC, which is Case Number 09-29905; (2) that all pleadings, other than proofs of claim, relating to the Debtors’ Bankruptcy Cases shall (a) bear a joint caption, substantially in the following form, and (b) be maintained by the court clerk under a single pleadings docket. The joint caption for the Bankruptcy Cases, as ordered by the Bankruptcy Court, is:

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:

EASY STREET HOLDING, LLC, *et al.*,

Address: 201 Heber Avenue  
Park City, UT 84060

Tax ID Numbers:

35-2183713 (Easy Street Holding, LLC),  
20-4502979 (Easy Street Partners, LLC), and  
84-1685764 (Easy Street Mezzanine, LLC)

Bankruptcy Case No. 09-29905  
Jointly Administered with Cases  
09-29907 and 09-29908

Chapter 11

Honorable R. Kimball Mosier

The Bankruptcy Court has not ordered that the Debtors' bankruptcy estates be substantively consolidated.

PLEASE TAKE FURTHER NOTICE that the Debtors have also filed with the Bankruptcy Court the following motions (the “Motions”) and the Declaration of William Shoaf: Copies of the Motions and the Declaration of William Shoaf are served with this Notice.

- Declaration of William Shoaf In Support of First-Day Motions
- Motion of Easy Street Partners, LLC for Interim and Final Orders (i) Authorizing Use of Cash Collateral Pursuant to 11 U.S. C. § 363 and Granting Adequate Protection to West LB, AG, and (ii) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) (the “Cash Collateral Motion”)
- Motion for an Order (1) Authorizing the Debtors to Pay Prepetition Wages, Salaries, and Employee Benefits; (2) Authorizing the Debtors to Continue the Maintenance of Employee Benefit Programs in the Ordinary Course; and (3) Directing all Banks to Honor Prepetition Checks for Payment of Prepetition Employee Obligations (the “Employee Motion”)

- Motion for Order Pursuant to 11 U.S.C. § 366 (I) Prohibiting Utilities from Altering, Refusing or Discontinuing Services to, or Discriminating Against the Debtors; (II) Providing that a Single Deposit for all the Debtors' Utilities Shall Constitute "Adequate Assurance of Future Payment;" and (III) Establishing Procedures for Determining Requests for Additional Assurance (the "Utilities Motion")
- Motion for an Order Extending Time to File Schedules and Statements (the "Extension Motion")

PLEASE TAKE FURTHER NOTICE that a hearing (the "Hearing") on the Cash Collateral Motion, the Employee Motion, the Utilities Motion, and the Extension Motion will be held on **Wednesday September 16, 2008, commencing at 11:30 a.m.**, or as soon thereafter as the motions may be heard, in the Courtroom of the Honorable R. Kimball Mosier, Room 369, Frank E. Moss United States Courthouse, Third Floor, 350 South Main Street, Salt Lake City, Utah 84101.

PLEASE TAKE FURTHER NOTICE that the Hearing on the Cash Collateral Motion will be an interim hearing pursuant to Fed. R. Bank. P. 4001(b) and, at the conclusion of the interim hearing, the Debtors will request that the Court schedule a final hearing on the Cash Collateral Motion at a date and time which will be announced in open court at the interim hearing.

PLEASE TAKE FURTHER NOTICE that the Hearing on the Cash Collateral Motion will be an evidentiary hearing, i.e., the Debtors will present the testimony of witnesses and introduce documents in support of the Cash Collateral Motion. At the present time, the Debtors have identified William Shoaf as a witness they intend to call, and may identify and call other witnesses. If you desire that the Bankruptcy Court consider evidence, whether by testimony or in documentary form, you must be prepared to submit the evidence at the Hearing in accordance with the Federal Rules of Evidence. **Parties wishing to present documentary evidence should**

**(1) have the documents pre-marked with exhibit numbers or letters (See Local Rule 9070-1(a)(1)) in advance; and (2) bring to the hearing enough copies for the Court, the Court's law clerk, the United States Trustee, and opposing counsel.**

PLEASE TAKE FURTHER NOTICE that **your rights (as to the matters addressed by the Motions) may be affected.** You should read the Motions and the Declaration of William Shoaf carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Bankruptcy Court to grant the relief sought in the Motions, or if you want the Court to consider your views on the Motions, or any of the Motions, then on or before the time of the Hearing, your or your attorney must:

File with the Court an objection to the Motion with the Clerk of the United States Bankruptcy Court for the District of Utah at the following address:

Clerk, United States Bankruptcy Court  
District of Utah  
Frank E. Moss U.S. Courthouse  
350 South Main Street, #301  
Salt Lake City, Utah 84101

If you mail or deliver your objection to the court for filing, you must mail or deliver it early enough so that the Court will receive it on or before September 16, 2009, at or before the time of the Hearing.

You must also mail or deliver a copy of your objection to:

Kenneth L. Cannon II (kcannon@djplaw.com) (3705)  
Steven J. McCardell (smccardell@djplaw.com) (2144)  
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If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose the relief sought in the Motions and may enter orders granting the relief sought in the Motions.

PLEASE TAKE FURTHER NOTICE that the Debtors have also filed, or will shortly file, certain applications to employ professionals (the "Employment Applications"), as well as certain applications for the admission, pro hac vice, for certain out of state counsel for the Debtors. The Employment Applications will be separately noticed for hearing to those parties entitled to notice. The Employment Applications will *not* be heard at the September 16, 2009 Hearing, but the motions for admission pro hac vice may be addressed at that time, if not previously addressed by the Court.

PLEASE TAKE FURTHER NOTICE that the Bankruptcy Court will separately notify creditors of the deadline for filing proofs of claim, the date set for the first meeting of creditors, and other matters concerning the Bankruptcy Cases.

PLEASE TAKE FURTHER NOTICE that if you did not receive a copy of the Motions, or if you wish to view documents filed with the Court, these may be inspected and copied at the office of the Clerk of the Bankruptcy Court during normal business hours or downloaded from the Bankruptcy Court's web site, using a PACER account, at the following site:

<https://ecf.utb.uscourts.gov>. Please note that prior registration with the PACER Service Center and payment of a fee may be required to access such documents through the Bankruptcy Court's website. Parties may sign up for a PACER account by visiting the PACER website at <http://pacer.psc.uscourts.gov> or by calling (800) 676-6856. Requests for copies of the Motions and further information regarding the Bankruptcy Cases or the Hearing may also be made to proposed counsel for the Debtors using the contact information given below.

DATED: September 15, 2009

DURHAM JONES & PINEGAR, P.C.

By: /s/ Steven J. McCardell

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